UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1998/612
6 July 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 JULY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 1 July 1998 from Mr. Mohammed Said Al-Sahhaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the sale by the Kuwaiti authorities of five Iraqi oil tankers that they have been holding since 1991.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Letter dated 1 July 1998 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to inform you that the Kuwaiti authorities have been holding five Iraqi oil tankers since 1991, namely Al-Muthanna, Al-Qadisiyah, Hittin, Tariq ibn Ziyad and Al-Faw. Four of them are in good condition and one, Al-Faw, is damaged. Information has recently reached us that the Kuwaiti authorities have proceeded to sell these tankers as scrap to other parties for 16.5 million dollars.

Ownership of the tankers is vested in the Government of Iraq and is recorded in the international registers of shipping in the name of the Iraqi Oil Tanker Company. Any conveyance of the tankers by the Kuwaiti authorities is therefore illicit and has no legal basis. Thus, the Government of Iraq does not under any circumstances recognize the sale of the tankers by the Kuwaiti authorities and regards it as an illegal procedure and an act that is incompatible with the norms of international law.

As it protests against this illicit act, the Government of Iraq urges you to intervene at once with the Kuwaiti authorities in order to induce them to void the illegal sale and request them to return the tankers to the Iraqi authorities. In any event, the Government of Iraq reserves its legal right to seek compensation for any damage done to its property by the action of the Kuwaiti authorities.

The Government of Iraq also reserves its legitimate right to institute legal proceedings against the purchasers of the tankers and to bring action against them in any country in the world in order to safeguard its legitimate rights under the law.

(Signed) Mohammed Said AL-SAHHAF
Minister for Foreign Affairs
of the Republic of Iraq